

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TERON FRANKLIN,

Plaintiff,

v.

STATE OF NEVADA, *et. al.*,

Defendants.

Case No. 3:18-cv-00522-MMD-CLB

**ORDER DENYING MOTION FOR
SUMMARY JUDGMENT WITHOUT
PREJUDICE, GRANTING MOTION TO
SEAL, AND GRANTING MOTION TO
STAY PENDING APPEAL**

[ECF Nos. 47, 48, 68]

On February 4, 2022, Plaintiff Teron Franklin ("Franklin") filed a notice of appeal and motion to stay case pending appeal, (ECF Nos. 67, 68). Defendants oppose the motion to stay, stating it will unduly delay proceedings and prolong the litigation. (ECF No. 71.) No reply was filed.

Currently pending is Defendants' motion for summary judgment. (ECF No. 47.) The deadline for Franklin to file an opposition to the motion is currently set for April 8, 2022. (ECF No. 63.)

Therefore, to afford the parties an opportunity for full briefing on the dispositive motion and to ensure there is no confusion related to the currently pending appeal, Franklin's motion to stay pending appeal, (ECF No. 68), is **GRANTED**. Defendants' motion for summary judgment, (ECF No. 47), is **DENIED** without prejudice with leave to refile within thirty days following resolution of the appeal. Thereafter, any response to the motion for summary judgment and reply shall be filed in accordance with LR 7-2(b). The motion to seal Franklin's medical records is **GRANTED**. (ECF No. 48.)

IT IS SO ORDERED.

DATED: February 25, 2022.



UNITED STATES MAGISTRATE JUDGE